REMARKS/ARGUMENTS

**1) Status of the claims**.

Claims 1-6 and 9 are cancelled; Claims 7-8 and 10-27 are pending.

The pending claims are not amended.

No new matter is added.

**2) The obviousness rejection of Claims 7-12 as being unpatentable in view of Hibst and Nelson is traversed** (Office Action page 2).

As described by the Office at page 2 of the Official Action, Hibst "constitutes prior art only under 35 U.S.C. 102(e). Hibst and the present application are co-owned by BASF Akiengesellschaft. 35 U.S.C. 103(c)(1) describes, in part "[s]ubject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person." Applicants state that Hibst and the present application, at the time the invention of the present application was made, were jointly owned by BASF Akiengesellschaft. Accordingly, withdrawal of Hibst as a reference under 35 U.S.C. 103(c)(1), and the obviousness rejection, are requested.

**3) The obviousness rejection of Claims 7-12 (and 13-27) as being unpatentable in view of Schunk, Ushikubo, and Nelson is traversed** (Office Action page 8). The rejection of Claim 9 is mooted by cancellation of Claim 9. Present Claims 8 and 10-12 depend from present Claim 7.

Present Claim 7 is drawn to a process for the sequential production of a library of N different solids, comprising heterogeneous catalysts, wherein N, within a day of beginning production, is an integer of at least 2, the process comprising

a) producing at least two different sprayable solutions, emulsions and/or dispersions of elements and/or element compounds of the chemical elements present in the catalysts,

b) continuously metering the at least two different solutions, emulsions and/or dispersions in a predefined ratio into a mixing apparatus in which the solutions, emulsions and/or dispersions are homogeneously mixed to form a mixture,

c) continuously drying the mixture removed from the mixing apparatus, wherein the drying is performed by spray drying or spray-freeze drying, to produce a dried mixture, and recovering the dried mixture that is a solid, and

d) changing the ratios in b) and repeating b), c) and d) (N-1) times until N different solids are obtained;

wherein the ratio in b) and d) is set and changed by changing or adapting the flow velocities of the different solutions, emulsions and/or dispersions during the metering into the mixing apparatus and the total stream of the individual solutions, emulsions and/or dispersions remains constant during the metering in the mixing apparatus and to the drying.

In contrast to present Claim 7, Schunk describes a process for the preparation and testing of heterogeneous catalysts which are present on the walls of preferably parallel through-channels that are present on a body, or are present on supporting particles introduced into the through channels (see the Abstract of Schunk). As described, in part, in paragraph 19 of Schunk, "solutions, emulsions and/or dispersions of elements and/or element compounds…" are prepared. Next, "channels of the body" are "simultaneously or successively coated" with the "solutions, emulsions and/or dispersions" (see paragraph 22 of

Schunk). Alternatively, Schunk describes that catalyst supports present in one or more predetermined channels of the body are "coated with a mixture of one or more of the mixtures" (see paragraph 51 of Schunk).

Thus, at least one difference between the process of Shcunk and the process of present Claim 7 is that in Schunk, inner walls of channels of a body, or a support material in channels of a body are, coated with solutions, emulsions or dispersions, whereas in present Claim 7, solid homogeneous catalysts are obtainable that are present, at the end of the process, for example as solid material particles and/or powders. In the process of present Claim 7, no inner walls of channels in a body are coated, and no support materials are coated. Indeed, Applicants submit the process of present Claim 7 is not usable to coat channels in a body or support materials.

Step c) of present Claim 7 describes "continuously drying the mixture removed from the mixing apparatus, wherein the drying is performed by spray drying or spray-freeze drying, to produce a dried mixture, and recovering the dried mixture that is a solid." Applicants note that one of ordinary skill in the art would understand that the process of Claim 7 would not therefore work for coating inner walls of channels or coating support materials to obtain supported catalysts.

Thus, modifying Schunk, as the Office is attempting to do, would render Schunk inoperable for its intended purpose, so according to M.P.E.P. 2143.01(V), there is no motivation to modify Schunk. Withdrawal of the obviousness rejection is requested on this basis alone.

Further, Applicants submit the references are not combinable, because only solutions, emulsions, or dispersion comprising solids in a dissolved or emulsified state can be dried by

spray drying or spray freeze drying in order to obtain solids. Applicants submit it is not possible to dry channels or coated support materials by spray drying or spray freeze drying, and this is required by Schunk.

Withdrawal of the obviousness rejection is requested on this basis alone.

**4) Conclusion**.

Applicants submit the present application is now in condition for allowance. Early notification to this effect is earnestly solicited.

Respectfully submitted,

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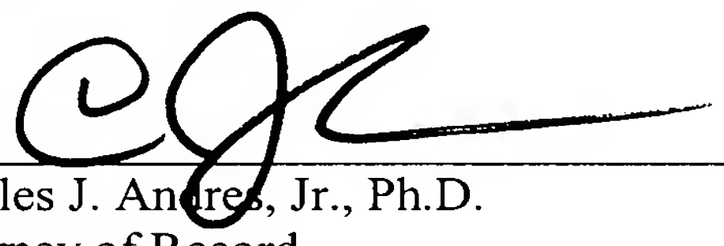

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